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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Andrew D. Simchik, et al.

FOR

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SERIAL NO.

09/496,698

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EXAMINER

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LAST OFFICE ACTION

None

ATTORNEY DOCKET NO.

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INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents Washington, D.C. 20231

Dear Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, 1.98 and MPEP § 609, applicants submit the following Disclosure Statement concerning art of which the applicants are aware. A copy of PTO-1449 is enclosed herewith.

Under § 1.98(a)(3), no concise explanation of relevance is required for information that is in the English language. Accordingly, the enclosed patents require no further explanation (or no translation is available).

CERTIFICATE OF MAILING

I hereby certify that this INFORMATION DISCLOSURE STATEMENT is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, on the date indicated below.

By aun

Date

11-8-02

Consideration of the appropriate paragraph(s) indicated below is respectfully requested:

- [] WITHIN THREE MONTHS OF FILING: Under § 1.97(b)(1), this information disclosure statement is being filed within three months of the filing date of the application. Although it is believed no fee is necessary, any deficiency in fees should be charged to Deposit Account No. 24-0037.
- [X] **BEFORE FIRST OFFICE ACTION**: Under § 1.97(b)(3), this information disclosure statement is being filed before the mailing date of a first Office Action on the merits. Although it is believed no fee is necessary, any deficiency in fees should be charged to Deposit Account No. 24-0037.
- [] **BEFORE FINAL ACTION/WITH FEE**: Under § 1.97(c)(2), this information shall be considered if filed before the mailing date of a final action if accompanied by a fee in the amount of \$.00 as required by §1.17(p). The required fees should be charged to Deposit Account No. 24-0037.
- [] INTERNATIONAL SEARCH REPORT: Under § 1.97(e)(1), the undersigned certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. Although it is believed no fee is necessary, any deficiency in fees should be charged to Deposit Account No. 24-0037.

Respectfully submitted,

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